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PATENT

ATTORNEY DOCKET NO. 10416/15

OFFICIAL**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Makoto Takahashi

Serial No.: 10/039,490 Examiner: Nguyen, Dung T.

Filed: October 26, 2001 Group Art Unit: 2828

Title: SEMICONDUCTOR LASER METHOD OF PRODUCING SAME
AND EVANESCENT OPTICAL HEAD USING THE SAMEAssistant Commissioner for Patents
Washington, D.C. 20231**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Sir:

This amendment is responsive to the Office action of October 6, 2003, and is timely filed.

INTRODUCTORY COMMENTS

Claims 1-3, 5, 6, 8-12, and 14-20 are pending in the present application; however, claims 14 and 15 have been withdrawn from consideration. Claims 1-3, 5, 6, 8-12, and 16-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Scifres et al. (U.S. Patent No. 4,280,107) in view of Uno et al. (U.S. Patent No. 6,240,235).

Claims 1, 8, 10, 12, and 16 have been amended. Claims 2, 9, and 17 have been deleted. No new claims have been added. Applicant respectfully contends that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art.